

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **PHENYLACETIC ACID COMPOSITIONS FOR TREATING OR PREVENTING HYPERCHOLESTEROLEMIA**, the Specification of which:

☒ is attached hereto.  
☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, United States provisional application(s), or inventor's certificate listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's certificate having a filing date before that of the application on which priority is claimed: **None**.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application: **None**.

I hereby direct that all correspondence and telephone calls be addressed to Patricia A. Kammerer, Howrey Simon Arnold & White, LLP, 750 Bering Drive, Houston, Texas 77057-2198, (713) 787-1400.

I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

Inventor's Full Name:	STANISLAW	R.	BURZYNSKI
Inventor's Signature:	<i>Stanislaw R. Burzynski</i>		
Country of Citizenship:	U.S.A.	Date:	June 8, 2000
Residence Address: (street, number, city, state, and/or country)	20 West Rivercrest Houston, Texas 77042		
Post Office Address: (if different from above)			

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Stanislaw R. Burzynski

Serial No.:

Filed:

For: PHENYLACETIC ACID COMPOSITIONS  
FOR TREATING OR PREVENTING  
HYPERCHOLESTEROLEMIA

Group Art Unit:

Examiner:

Atty. Dkt. No.: BURG:046/KAM

POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

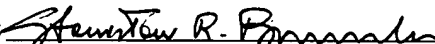
The undersigned, being the inventor named in the above-identified application, hereby  
revokes any previous Powers of Attorney and appoints:

Patricia A. Kammerer, Reg. No. 29,775; Melinda L. Patterson, Reg. No. 33,062;  
Janelle D. Waack, Reg. No. 36,300; Matthew L. Madsen, Reg. No. 45594; and  
J. Paul Williamson, Reg. No. 29,600,

each an attorney or agent with the law firm of HOWREY SIMON ARNOLD & WHITE, LLP, as  
its attorney or agent so long as they remain with such law firm, with full power of substitution and  
revocation, to prosecute the application, to make alterations and amendments therein, to transact all  
business in the Patent and Trademark Office in connection therewith, and to receive any Letters  
Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of  
correction that may be deemed appropriate.

Please direct all communications as follows:

Patricia A. Kammerer  
HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057-2198  
(713) 787-1400

Signature:   
Name: Stanislaw R. Burzynski

Date: June 8, 2000

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**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR §§ 1.9(F) AND 1.27(B)) – INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR § 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention described above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☐ no such person, concern or organization  
☐ persons, concerns or organizations listed below\*

FULL NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR § 1.28(b)).

I HEREBY DECLARE THAT ALL STATEMENTS MADE HEREIN OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE, AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION, ANY PATENT ISSUING THEREON, OR ANY PATENT TO WHICH THIS VERIFIED STATEMENT IS DIRECTED.

Signature: Stanislaw R. Burzynski Date: June 8, 2000  
Name of Inventor: Stanislaw R. Burzynski

\* Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR § 1.27)